

Teresa M. Corbin (SBN 132360)  
 Christopher Kelley (SBN 166608)  
 Thomas C. Mavrakakis (SBN 177927)  
 Erik K. Moller (SBN 147674)  
 HOWREY SIMON ARNOLD & WHITE, LLP  
 301 Ravenswood Avenue  
 Menlo Park, California 94025  
 Telephone: (650) 463-8100  
 Facsimile: (650) 463-8400  
 Attorneys for Plaintiff SYNOPSYS, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

SYNOPSYS, INC.,	) Case No. CO3-2289 MJJ
	)
Plaintiff,	) <b>DECLARATION OF ERIK K. MOLLER IN</b>
	) <b>SUPPORT OF PLAINTIFF'S OPPOSITION</b>
vs.	) <b>TO RICOH'S PROTECTIVE ORDER</b>
	) <b>MOTION</b>
RICOH COMPANY, LTD., a Japanese	)
corporation,	) Date: February 10, 2004
	) Time: 9:30 a.m.
Defendant.	) Ctrm: 11
	)

I, Erik K. Moller, hereby declare as follows:

1. I am an attorney at law, licensed to practice in the state of California and an associate at the law firm of Howrey Simon Arnold & White, LLP ("Howrey"), attorney of record for plaintiff Synopsys, Inc. ("Plaintiff") in this litigation. The matters set forth in this declaration are based upon my personal knowledge, except where otherwise indicated, and if called as a witness, I could and would testify competently thereto.

2. Attached as Exhibit A is a true and correct copy of Synopsys Secure User Research Facility Description from [www.synopsys.com/partners/surf/surf\\_program.html](http://www.synopsys.com/partners/surf/surf_program.html).

3. Attached as Exhibit B is a true and correct copy of a letter dated November 7, 2003, from Mr. Kelley, counsel for Plaintiff, to Mr. Meilman, counsel for Defendant.

1 4. Attached as Exhibit C is a true and correct copy of a letter dated December 7, 2003,  
2 from Mr. Moller, counsel for Plaintiff, to Mr. Meilman, counsel for Defendant.

3 5. Attached as Exhibit D is a true and correct copy of a letter dated November 13, 2003,  
4 from Mr. Kelley, counsel for Plaintiff, to Mr. Meilman, counsel for Defendant.

5 6. Attached as Exhibit E is a true and correct copy of Third Party Synopsys, Inc.'s  
6 Objections to Plaintiff's Subpoena Duces Tecum, dated June 26, 2003.

7 I declare under penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct to the best of my knowledge. Executed on January 20, 2004, at Menlo  
9 Park, California.

10 /s/ Erik K. Moller

11 Erik K. Moller  
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SURF Program

## Synopsys Secure User Research Facility

### Description

- Secure and Convenient Access
  - 24 hour access to S.U.R.F. facility via keycard with PIN.
- Work Environment Isolated from Other Users
  - Equipment configured "standalone." No network access.
  - Private offices walled with secure ceilings.
  - Independently accessible via keycode lock
  - Shredders and confidential trash bins available.
  - [Lab configuration](#)
- Maintenance and Support
  - Selected Synopsys tools installed on lab machines. Releases periodically updated.
  - Synopsys tools and flows fully supported on-site.
- [Location](#)

### S.U.R.F. Qualification Criteria

The S.U.R.F. lab facilities at Synopsys are available to qualified EDA vendors, approved by Synopsys to test and enhance EDA interoperability with Synopsys tools for the benefit of our mutual customers.

The EDA vendors applying to S.U.R.F. must adhere to all security requirements and guarantee Synopsys IP protection.

The following criteria must be met:

- There is a clear customer demand for the flow(s).
- Synopsys IP protection is guaranteed.
- Vendor adheres to all security requirements.
- Access is approved by Synopsys.

### How Do I Apply?

1. Contact S.U.R.F. program manager at Synopsys:  
Karen Bartleson  
tel: (650) 584.4840  
fax: (650) 584.4102  
email: [karenb@synopsys.com](mailto:karenb@synopsys.com)
2. Submit and fax the complete [Access Agreement](#), [Usage Agreement](#), and the [Nondisclosure Agreement \(NDA\)](#) documents to the S.U.R.F. program manager. You will then be contacted to complete the registration process and your application will be reviewed.
3. Upon arrival on the first day, S.U.R.F. coordinator will:
  - o Escort you to security
    - o Receive photo ID and access codes
  - o Guide you to S.U.R.F. area
    - o Test badges to ensure accessibility
  - o Lead you to private office
    - o Test access codes to ensure accessibility
    - o Tour area to become familiar with what's available
  - o Verify S.U.R.F. equipment and required software functionality with you
    - o Ensure everything is working
  - o Leave you alone to do your work in your private office
    - o Application Engineer and system administrator available by contacting S.U.R.F. coordinator



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FAX 650.463.8400  
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**CHRISTOPHER L. KELLEY**  
PARTNER  
650.463.8113  
kelleyc@howrey.com

November 7, 2003

**VIA FACSIMILE AND U.S. MAIL**

Edward A. Meilman  
Dickstein Shapiro Morin & Oshinsky, LLP  
1177 Avenue of the Americas  
New York, NY 10036-2714

Re: *Ricoh Company, Ltd. v. Aeroflex Incorporated, et al.*  
Civil Action No. 03-103-GMS

Dear Edward:

I am writing in response to your letters of November 5. We propose a meet and confer to address the issues raised in these letters. We are available at 11 AM Pacific Coast Time (2 PM Eastern) on Tuesday, November 11. If this time is unacceptable, please propose an alternative time.

With respect to the subpoena on Synopsys, we informed you in our letter of October 22 that the notice of deposition of Synopsys was ineffective because you made no attempt to confer with us regarding a reasonable date for the deposition in advance of your notice. This is a basic requirement under N.D. Cal. Local Rule 30-1. If you intend to take the position that Rule 30 does not apply to depositions of third-parties and that the Northern District does not intend counsel to coordinate with third-parties prior to setting depositions, please let us know immediately. We have a contrary construction and we will need to seek the intervention of the Court if you stand by your position. In addition to this basic procedural requirement, we also believe that the topics identified in your notice are improper for a number of reasons set out in our previous letters. In addition, this deposition should be taken in connection with Synopsys' declaratory judgment action, especially given that the Delaware defendants have moved the Court to stay Ricoh's patent infringement action. We intend to discuss these issues in the proposed meet and confer in order to avoid the need to seek a motion to quash.

With regard to the protective order, you once again assert that "Judge Jenkins already ordered Synopsys to proceed under the Order issued by the Court in the *Ricoh v. Aeroflex* case." We suppose that you are referring to the fact that Judge Jenkins accepted a stipulation of the parties that an agreement presented by Synopsys at the August 19 hearing would be protected from dissemination pursuant to the protective order in place in Delaware. See 8/19/2003 Tr. at 13:4-20. It seems to us to be pure fantasy to assert that the Court's statement on page 13 constituted a ruling that the *Ricoh v. Aeroflex* order ought to govern all subsequent discovery in



Edward A. Meilman  
November 7, 2003  
Page 2

the *Synopsys v. Ricoh* matter. If this is, in fact, your position please state so plainly so that we can inquire directly of the Court as to whether that was its intent.

Your letter tries to make a great deal of the fact that this law firm is representing the defendants in the *Ricoh v. Aeroflex* case as well as Synopsys. That fact, however, is irrelevant to the question of whether the protections that were adequate to protect production from the *Ricoh v. Aeroflex* defendants are adequate to protect the production of highly confidential source code from Synopsys in the *Synopsys v. Ricoh* case.

As you observe in your letter, the protective order proposed by Synopsys is not merely a version of the *Ricoh v. Aeroflex* order with additional content. It is, in fact, based on the model Stipulated Protective Order on the Northern District's website. It is not critical to us whether the parties base their protective order on the *Ricoh v. Aeroflex* order or the Northern District's model order, as modified in Synopsys' original proposal. Synopsys does, however, wish to include a provision dealing with the disclosure of source code. I am attaching a copy of the relevant language that we wish to incorporate to address the production of source code.

Very truly yours,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Christopher L. Kelley

CLK:gg

cc: Gary M. Hoffman, Esq.



## **ATTACHMENT**

### **Disclosure of Source Code**

(a) Unless otherwise ordered by the Court or permitted in writing by the Producing Party, a Receiving Party's access to a Producing Party's discoverable source code is limited to inspection at a secured facility provided by the Producing Party. Such inspection may be conducted only by:

- (1) the Receiving Party's Outside Counsel of record in this action; and,
- (2) one (1) expert (as defined in this Order) of the Receiving Party to whom disclosure is reasonably necessary for this litigation and who has signed the "Agreement to Be Bound by Protective Order" (Exhibit \_\_) and who has been approved pursuant to the "Procedures for Approving Disclosure of 'CONFIDENTIAL' information or Items to 'Experts'" as set forth in paragraph \_\_;

(b) After any such inspection and upon the written request of the Receiving Party's Outside Counsel, the Responding Party, within a reasonable time, shall furnish hard-copy printouts of relevant source code files specifically identified in the Receiving Party's Outside Counsel's written request. Such hard-copy printouts shall be designated "CONFIDENTIAL" under this protective order;

(c) Any notes taken or any other information created by Outside Counsel or the expert of the Receiving Party at or based on any such inspection shall be treated as "CONFIDENTIAL" under this protective order;

(d) Each Producing Party designates and provides the following facilities for production of their discoverable source code via inspection in the present action:

- (1) All source code production by Synopsys in this action will be limited to inspection at its Secured User Research Facility (SURF). SURF is Synopsys' physically



and electronically secured area for providing access to Synopsys' source code. SURF is located at Synopsys' Corporate campus in Mountain View, CA.

(2) All source code provided by Ricoh will be produced \_\_\_\_\_.





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 MENLO PARK, CA 94025-3434  
 PHONE: 650.463.8100 • FAX: 650.463.8400

### FACSIMILE COVER SHEET

**DATE:** November 7, 2003

**TO:**

1. **NAME:** Edward A. Meilman **COMPANY:** Dickstein Shapiro, et al.  
**CITY:** New York, NY **FAX #:** (212) 997-9880 **PHONE #:** (212) 835-1400

2. **NAME:** Gary M. Hoffman **COMPANY:** Dickstein Shapiro, et al.  
**CITY:** Washington, DC **FAX #:** (202) 887-0689 **PHONE #:** (202) 785-9700

3. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **PHONE #:** \_\_\_\_\_

4. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **PHONE #:** \_\_\_\_\_

5. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **PHONE #:** \_\_\_\_\_

**FROM:** **NAME:** Christopher L. Kelley, Esq.

**DIRECT DIAL NUMBER:** (650) 463-8113 **USER ID:** 5172

**NUMBER OF PAGES, INCLUDING COVER:** 5 **CHARGE NUMBER:** 06816.0060.000000

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**SUPPLEMENTAL MESSAGE:**

Re: Ricoh v. Aeroflex, et al.

PLEASE SEE ATTACHED CORRESPONDENCE DATED NOVEMBER 7, 2003

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\* \* \* COMMUNICATION RESULT REPORT ( NOV. 7. 2003 3:12PM ) \* \* \*

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FROM: NAME: Christopher L. Kelley, Esq.  
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Re: Ricoh v. Aeroflex, et al.

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## FACSIMILE COVER SHEET

DATE: November 7, 2003

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1. NAME: Edward A. Mellman COMPANY: Dickstein Shapiro, et al.  
CITY: New York, NY FAX #: (212) 997-9880 PHONE #: (212) 835-1400

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FROM: NAME: Christopher L. Kelley, Esq.  
DIRECT DIAL NUMBER: (650) 463-8113 USER ID: 5172

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December 7, 2003

**VIA FACSIMILE AND U.S. MAIL**

Edward A. Meilman  
Dickstein Shapiro Morin & Oshinsky, LLP  
1177 Avenue of the Americas  
New York, NY 10036-2714

Re: *Synopsys, Inc. v. Ricoh Company, Ltd.*,  
Case No. C 03-2289 MJJ

Dear Ed:

This letter follows our discussion during the meet and confer teleconference on December 1, 2003 regarding the terms for the production of the source code for Synopsys' Design Compiler product in this action.

We stated that Synopsys could make arrangements at one of its East Coast facilities to provide Ricoh with more convenient access to the source code for Synopsys' Design Compiler product. You asked us to inquire as to the conditions for the production of the source code at such a facility. Synopsys can make arrangements to provide you with a secured location at its facility in Bethesda, Maryland. We would provide a computer that would be loaded with the source code to be produced by Synopsys and suitable software for review of this code. Synopsys will allow Ricoh to make hardcopy of specific portions of the source code. The hardcopy can then be reviewed, pursuant to the protective order, outside of the facility. You would have access to the Bethesda facility during regular business hours without need to make any special arrangements.

In addition, we continue to offer the use of Synopsys' SURF facility at its campus in Mountain View, at which you would have 24/7 access.

Very truly yours,

A handwritten signature in black ink, appearing to read 'EKM' followed by a stylized flourish.

Erik K. Moller

EKM:gg

cc: Gary M. Hoffman  
Jeffrey B. Demain



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 MENLO PARK, CA 94025-3434  
 PHONE: 650.463.8100 • FAX: 650.463.8400

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**DATE:** December 7, 2003

**TO:**

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**CITY:** New York, NY **FAX #:** (212) 997-9880 **PHONE #:** (212) 835-1400

2. **NAME:** Gary M. Hoffman **COMPANY:** Dickstein Shapiro, et al.  
**CITY:** Washington, DC **FAX #:** (202) 887-0689 **PHONE #:** (202) 785-9700

3. **NAME:** Jeffrey Demain **COMPANY:** Altshuler, Berzon, Nussbaum, Rubin  
**CITY:** San Francisco, CA **FAX #:** (415) 362-8064 **PHONE #:** \_\_\_\_\_

4. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **PHONE #:** \_\_\_\_\_

5. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
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**FROM:** **NAME:** Erik Moller, Esq.

**DIRECT DIAL NUMBER:** (650) 463-8175 **USER ID:** 5172

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		PHONE #:	(212) 835-1400
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		PHONE #:	
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CITY:		FAX #:	
		PHONE #:	
5. NAME:		COMPANY:	
CITY:		FAX #:	
		PHONE #:	

FROM: NAME: Erik Moller, Esq.

DIRECT DIAL NUMBER: (650) 463-8175

USER ID: 5172

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3. NAME: Jeffrey Demain COMPANY: Altshuler, Berzon, Nussbaum, Rubin  
CITY: San Francisco, CA FAX #: (415) 362-8064 PHONE #: \_\_\_\_\_

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CITY: \_\_\_\_\_ FAX #: \_\_\_\_\_ PHONE #: \_\_\_\_\_

5. NAME: \_\_\_\_\_ COMPANY: \_\_\_\_\_  
CITY: \_\_\_\_\_ FAX #: \_\_\_\_\_ PHONE #: \_\_\_\_\_

FROM: NAME: Erk Moller, Esq.  
DIRECT DIAL NUMBER: (650) 463-8175 USER ID: 5172  
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\* \* \* COMMUNICATION RESULT REPORT ( DEC. 7. 2003 4:22PM ) \* \* \*

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 E-1) HANG UP OR LINE FAIL  
 E-3) NO ANSWER

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 MENLO PARK, CA 94025-3434  
 PHONE: 650.463.8100 • FAX: 650.463.8400

## FACSIMILE COVER SHEET

DATE: December 7, 2003

TO:

1. NAME:	<u>Edward A. Meilman</u>	COMPANY:	<u>Dickstein Shapiro, et al.</u>
CITY:	<u>New York, NY</u>	FAX #:	<u>(212) 997-9880</u>
		PHONE #:	<u>(212) 835-1400</u>
2. NAME:	<u>Gary M. Hoffman</u>	COMPANY:	<u>Dickstein Shapiro, et al.</u>
CITY:	<u>Washington, DC</u>	FAX #:	<u>(202) 887-0689</u>
		PHONE #:	<u>(202) 785-9700</u>
3. NAME:	<u>Jeffrey Demain</u>	COMPANY:	<u>Altshuler, Berzon, Nussbaum, Rubin</u>
CITY:	<u>San Francisco, CA</u>	FAX #:	<u>(415) 362-8064</u>
		PHONE #:	
4. NAME:		COMPANY:	
CITY:		FAX #:	
		PHONE #:	
5. NAME:		COMPANY:	
CITY:		FAX #:	
		PHONE #:	

FROM: NAME: Erik Moller, Esq.

DIRECT DIAL NUMBER: (650) 463-8175 USER ID: 5172

NUMBER OF PAGES, INCLUDING COVER: 2 CHARGE NUMBER: 06816.0061.000000

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VIA FACSIMILE and  
FIRST CLASS U.S. MAIL

November 13, 2003

Edward A. Meilman  
Dickstein Shapiro Morin & Oshinsky, LLP  
1177 Avenue of the Americas  
New York, NY 10036-2714

Re: Synopsys, Inc. v Ricoh Company, Ltd., Case No. CV 03-02289 MJJ and  
Ricoh Company, Ltd. v. Aeroflex Inc., et al., Case No. CV 03-04669 MMJ

Dear Ed:

Here is my recap of the subjects covered in today's meet and confer. I recount our positions here so that they will be part of the written record, not, obviously, as an indication that you agreed with them. If I omitted something significant, please let me know.

(1) Rule 30(b)(6) deposition notice of Synopsys in the Ricoh v. Aeroflex action.

Synopsys objects to some of the issues identified in your Rule 30(b)(6) notice. As to the remaining issues, Synopsys contends that these are properly at issue in the *Synopsys v. Ricoh* action and not in the *Ricoh v. Aeroflex* action. The district courts in Delaware and Northern California have determined that Ricoh's patent litigation is a "customer suit" targeted at Synopsys but brought under the guise of litigation against Synopsys' customers. In the face of this determination, the Delaware district court determined that Ricoh's litigation against Synopsys was less deserving of priority than Synopsys' declaratory judgment action against Ricoh.

Therefore, questions relating to the characteristics of Synopsys' products, and whether or not these products practice the '432 or '016 patents, should be resolved in the *Synopsys v. Ricoh* declaratory judgment action. We believe that the *Ricoh v. Aeroflex* action ought to be stayed while the questions raised in the *Synopsys v. Ricoh* action are resolved. However, if the *Ricoh v. Aeroflex* action does proceed, Ricoh may conduct discovery under the aegis of that litigation on peripheral questions such as the extent to which the defendants named in *Ricoh v. Aeroflex* used Synopsys' software, or whether some activities by these defendants other than their ordinary use of Synopsys' products might constitute patent infringement.

If Ricoh renotices its Rule 30(b)(6) deposition of Synopsys in the *Synopsys v. Ricoh* action, we will provide you with a date for a first designee on some of the organizational and/or technical issues identified in your notice by next Wednesday, November 19.



Edward A. Meilman  
November 13, 2003  
Page 2

On a related note we agreed to provide you with information regarding what Synopsys products the Defendants in the *Ricoh v. Aeroflex* action were licensed to use.

(2) Rule 30(b)(6) deposition notice of defendants in the *Ricoh v. Aeroflex* action.

We cannot realistically arrange depositions of the defendants before the December 16 hearing date set for the defendants' motion to stay. If that motion is denied, defendants are prepared to promptly make witnesses available in response to these notices.

(3) Noticed depositions of Bershrader and Ricoh in the *Synopsys v. Ricoh* action.

You agreed to provide us with dates for these depositions.

(4) Earlier date for the case management conference.

I stated that we had no objection in principle to asking the Court to set the case management conference in the pending cases for some date earlier than the current February date. Our objection to the proposal in your November 11 letter was that it tied together the unrelated issues of our request for an earlier hearing date on the motion to stay and rescheduling the Case Management Conference.

Very Truly Yours,

A handwritten signature in cursive script that reads "Christopher L. Kelley". The signature is written in dark ink and is positioned above the printed name of the signatory.

Christopher L. Kelley

EKM/gj

cc: Gary M. Hoffman  
Jeffrey Demain

\* \* \* COMMUNICATION RESULT REPORT ( NOV. 13. 2003 3:02PM ) \* \* \*

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PHONE: 650.463.8100 • FAX: 650.463.8400

## FACSIMILE COVER SHEET

DATE: November 13, 2003

TO:

1. NAME: Edward A. Meilman COMPANY: Dickstein Shapiro, et al.  
CITY: New York, NY FAX #: (212) 997-9880 PHONE #: (212) 835-1400

2. NAME: Gary M. Hoffman COMPANY: Dickstein Shapiro, et al.  
CITY: Washington, DC FAX #: (202) 887-0689 PHONE #: (202) 785-9700

3. NAME: Jeffrey Demain COMPANY: Altshuler, Berzon, Nussbaum, et al.  
CITY: San Francisco FAX #: (415) 362-8064 PHONE #: (415) 421-7151

4. NAME: \_\_\_\_\_ COMPANY: \_\_\_\_\_  
CITY: \_\_\_\_\_ FAX #: \_\_\_\_\_ PHONE #: \_\_\_\_\_

5. NAME: \_\_\_\_\_ COMPANY: \_\_\_\_\_  
CITY: \_\_\_\_\_ FAX #: \_\_\_\_\_ PHONE #: \_\_\_\_\_

FROM: NAME: Christopher L. Kelley, Esq.DIRECT DIAL NUMBER: (650) 463-8113 USER ID: 5172NUMBER OF PAGES, INCLUDING COVER: 3 CHARGE NUMBER: 06816.0060.000000☒ ORIGINAL WILL FOLLOW VIA:☒ REGULAR MAIL ☐ OVERNIGHT DELIVERY ☐ HAND DELIVERY ☐ OTHER: \_\_\_\_\_☐ ORIGINAL WILL NOT FOLLOW

SUPPLEMENTAL MESSAGE:

Re: Synopsys v. Ricoh and Ricoh v. Aeroflex, et al.

PLEASE SEE ATTACHED CORRESPONDENCE DATED NOVEMBER 13, 2003

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G3 : Dickstein Shapiro

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E-3) NO ANSWER  
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SUPPLEMENTAL MESSAGE:

Re: Synopsys v. Ricoh and Ricoh v. Aeroflex, et al.

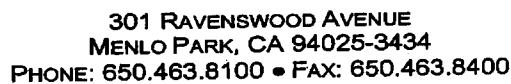
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 PHONE: 650.463.8100 • FAX: 650.463.8400

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**DATE:** November 13, 2003

**TO:**

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**CITY:** New York, NY **FAX #:** (212) 997-9880 **PHONE #:** (212) 835-1400

2. **NAME:** Gary M. Hoffman **COMPANY:** Dickstein Shapiro, et al.  
**CITY:** Washington, DC **FAX #:** (202) 887-0689 **PHONE #:** (202) 785-9700

3. **NAME:** Jeffrey Demain **COMPANY:** Altshuler, Berzon, Nussbaum, et al.  
**CITY:** San Francisco **FAX #:** (415) 362-8064 **PHONE #:** (415) 421-7151

4. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **PHONE #:** \_\_\_\_\_

5. **NAME:** \_\_\_\_\_ **COMPANY:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **PHONE #:** \_\_\_\_\_

**FROM:** **NAME:** Christopher L. Kelley, Esq.

**DIRECT DIAL NUMBER:** (650) 463-8113 **USER ID:** 5172

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**SUPPLEMENTAL MESSAGE:**

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IF THERE ARE ANY QUESTIONS OR PROBLEMS WITH THE TRANSMISSION OF THIS FACSIMILE, PLEASE CALL 650.463.8103

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RICOH COMPANY, LTD.,

Plaintiff,

V.

**AEROFLEX INCORPORATED, AMI  
SEMICONDUCTOR, INC., MATROX  
ELECTRONIC SYSTEMS LTD., MATROX  
GRAPHICS INC., MATROX  
INTERNATIONAL CORP. and MATROX  
TECH, INC.,**

**Defendants.**

**Civil Action No. 03-103-GMS**

**THIRD PARTY SYNOPSIS, INC.'S OBJECTIONS TO  
PLAINTIFF'S SUBPOENA DUCES TECUM**

Pursuant to Rule 45(c)(2)(B) of the Federal Rules of Civil Procedure, third party Synopsys, Inc. (“Synopsys”) hereby responds to Plaintiff Ricoh Company, Ltd.’s (“Ricoh”) subpoena duces tecum.

In responding to this subpoena, Synopsys will make the reasonable, diligent, and good faith search for responsive documents as required under the Federal Rules and Local Rules. This response, however, is based on information presently available to and reviewed by Synopsys and its attorneys at the present time. Synopsys reserves the right to supplement its response when, and if, additional information becomes available.

This response is made without waiving, in any way: (1) the right to object on any basis permitted by law to the use of any such information, for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; and (2) the right to object on any basis permitted by law to any other discovery request or proceeding involving or relating to the subject matter of this response.

## **GENERAL OBJECTIONS**

1. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it seeks information protected by the attorney-client privilege, work product doctrine or any other privilege or protection afforded by state or federal law. Such protected material may include the impressions, conclusions, opinions, legal research or theories of attorneys, whether or not communicated to their client, and/or any other applicable privilege. To the extent that documents are otherwise responsive and relevant, Synopsys will provide identification of those privileged or protected documents in a privileged document log. Any inadvertent production of documents that are subject to any such privilege or protection shall not be deemed a waiver of any privilege or protection with respect to such documents or information.

2. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it seeks information that is subject to any protective order, privacy interest, contractual obligation, non-disclosure agreement, confidentiality agreement or other such confidentiality obligation owed to any third party. Without third party permission, Synopsys typically cannot provide such information unless directed to do so by the Court.

3. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it seeks documents that are a matter of public record or are equally available or readily ascertainable by Ricoh from some other source.

4. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it seeks information or the identification of documents that are not within the possession, custody, or control of Synopsys, or refers to persons, entities, or events not known to Synopsys, subjecting them to unreasonable and undue annoyance, oppression, burden, and expense, and would impose upon them an obligation to discover information or materials from third parties or services who are equally accessible to Ricoh.

5. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it is unlimited in time or otherwise not limited to a time frame relevant to this litigation and to U.S. Patent No. 4,922,432 (the "432 patent"), on the grounds that each such request for production is



overly broad, unduly burdensome, and seeks the discovery of information that is not relevant to a claim or defense of any party or to the subject matter of this litigation and not reasonably calculated to lead to the discovery of admissible evidence.

6. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it seeks a legal conclusion.

7. Synopsys objects to Ricoh's subpoena duces tecum, including its Definitions and Instructions, to the extent that they seek to modify or expand the requirements of the Federal Rules of Civil Procedure and the Local Rules of the District Court of Delaware and/or other applicable law. Synopsys will respond to Ricoh's subpoena duces tecum in accordance with the Federal Rules of Civil Procedure, the Local Rules of the District Court of Delaware and/or other applicable law.

8. Synopsys objects to Ricoh's subpoena duces tecum to the extent that the attached document requests are compound and contain unrelated subparts in violation of Rule 33(a) of the Federal Rules.

9. Synopsys objects to Ricoh's subpoena duces tecum to the extent that the attached document requests are unreasonably cumulative, redundant, or duplicative of other Document Requests, or seek information that is obtainable from some other source that is more convenient, less burdensome, or less expensive.

10. Synopsys objects to Ricoh's subpoena duces tecum to the extent it seeks information from Synopsys concerning Synopsys' contentions regarding the construction, validity, enforceability and non-infringement of the '432 patent. Synopsys has initiated a lawsuit in the Northern District of California in which it asks for a declaratory judgment of invalidity and non-infringement. Synopsys will provide discovery in connection with that lawsuit at an appropriate time, in accordance with the schedule set for discovery in that matter.

11. Synopsys objects to Ricoh's subpoena duces tecum to the extent it seeks information or documents about design synthesis tools not used within the United States, and will not produce information or documents concerning such products.

12. Synopsys objects to Ricoh's subpoena duces tecum to the extent that it seeks confidential technical information regarding Synopsys' products. Production of confidential technical information is not appropriate where the requesting party cannot make a showing of sufficient need for access to the confidential information.

### **SPECIFIC OBJECTIONS TO DEFINITIONS & INSTRUCTIONS**

1. Synopsys objects to Definition/Instruction a on the grounds that it is unduly burdensome, overbroad, and purports to impose obligations on Synopsys far beyond those imposed by the Federal or Local Rules.

2. Synopsys objects to Ricoh's Definition/Instruction c to the extent that the term "Synopsys" extends to any person or entity other than Synopsys' present employees and agents.

3. Synopsys objects to Ricoh's Definition/Instruction j to the extent that it purports to impose requirements other than or in addition to the requirements of the Federal Rules of Civil Procedure and the Local Rules of this Court.

4. Synopsys objects to Ricoh's Definition/Instruction p on the basis that the definition of "ASIC Design System" is vague and overly broad. Synopsys further objects to the inclusion of products dating back to 1990. Under any set of circumstances, Ricoh would be barred from claiming damages for activities dating back to 1990.

5. Synopsys objects to Ricoh's Definition/Instruction q to the extent that the definition of "ASIC Method" is vague and overly broad.

### **THIRD PARTY SYNOPTIS, INC.'S OBJECTIONS TO PLAINTIFF'S SUBPOENA DUCES TECUM**

#### **REQUEST FOR PRODUCTION No. 1**

1. Produce documents sufficient to show the manner of marketing and promotion by or for Synopsys of each ASIC Design System and ASIC Method including but not limited to brochures, print or other advertisements, and tradeshow materials.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The manner of marketing and promotion by Synopsys of design synthesis tools is not relevant to any issue in the present litigation.

REQUEST FOR PRODUCTION No. 2

2. Produce documents sufficient to show the capabilities, features, functions, operation, and use of the ASIC Design Systems and ASIC Methods including, but not limited to, any user guides, operation guides, technical bulletins, technical reference manuals, user manuals, training manuals, specifications, source code, tutorials, technical overviews, summaries, functional descriptions, design flow diagrams, operational flow diagrams, design specifications, articles, reports, and memos.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The capabilities, features, functions, etc. of Synopsys' design synthesis software are not relevant to any issue in the present litigation.

REQUEST FOR PRODUCTION No. 3

3. Produce documents sufficient to show the capabilities, features, functions, operation, and use of the user interface to the ASIC Design Systems, including but not limited to, the DC Shell, and the Verilog, VHDL, HDL, and/or any other, input specification language used in connection with the ASIC Design Systems and ASIC Methods.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The capabilities, features, functions, etc. of the user interface to Synopsys' design synthesis software are not relevant to any issue in the present litigation.

REQUEST FOR PRODUCTION No. 4

4. Produce all documents concerning all hardware, software, libraries and/or databases provided, made available, distributed, or recommended by or on behalf of Synopsys to defendants concerning the practice of an ASIC Method using an ASIC Design System, including, but not limited to, technical reference manuals, technical bulletins, user manuals, installation manuals, training manuals, specifications, source code, tutorials, technical overviews, and summaries.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The hardware, software, libraries and/or databases used in Synopsys' design synthesis software are not relevant to any issue in the present litigation.

REQUEST FOR PRODUCTION No. 5

5. Produce all documents concerning all hardware, software, libraries and/or databases for use in ASIC Design Systems for the selection of architecture-specific hardware cells in designing ASIC Products, including, but not limited to, technical reference manuals, technical bulletins, user manuals, installation manuals, training manuals, specifications, source code, tutorials, technical overviews, and summaries.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The hardware, software, libraries and/or databases used in Synopsys' design synthesis software are not relevant to any issue in the present litigation.

REQUEST FOR PRODUCTION No. 6

6. Produce all document concerning agreements or other arrangements granting rights in or otherwise concerning ASIC Design Systems and ASIC Methods from Synopsys to any defendant (or from any defendant to Synopsys), including but not limited to contracts, licenses, purchase agreements, indemnification agreements, and hold-harmless agreements/covenants not to sue.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The content of any contracts, licenses, purchase agreements, indemnification agreements and the like between Synopsys and any defendant is typically treated as highly confidential information and is not relevant to any issue in the present litigation. If information about contracts, licenses, purchase agreements, etc. could be shown to have any relevance to the present litigation, this information should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 7

7. Produce all documents concerning solicitations, offers, or presentations made by or to any defendant with respect to ASIC Design Systems and ASIC Methods, including but not limited to advertising material, proposals, and presentations.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The content of any solicitations, offers, or presentations to any defendant regarding Synopsys' design synthesis tools is typically treated as highly confidential information and is not relevant to any issue in the present litigation. If information about solicitations, offers or presentations could be shown to have any relevance to the present litigation, this information should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 8

8. Produce documents sufficient to show the actual or projected cost savings by any defendant as a consequence of licensing or using ASIC Design Systems and ASIC Methods.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The cost savings resulting from use of Synopsys' design synthesis tools is not relevant to any issue in the present litigation. If information about cost savings could be shown to have any relevance to the present litigation, this information should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 9

9. Produce documents sufficient to show the annual dollar and unit volume of sales and sales projections by or on behalf of Synopsys of ASIC Design Systems and ASIC Methods to each defendant, including but not limited to indicating how Synopsys defines "sales" and "unit."

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The volume of sales of Synopsys' design synthesis tools to defendants is not relevant to any issue in the present litigation. If sales volumes could be shown to have any relevance to the present litigation, this information should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 10

10. Produce documents sufficient to show the gross revenue, as well as the discounts, rebates or other reductions deducted from gross revenue from sales by or on behalf of Synopsys of ASIC Design Systems and ASIC Methods to each defendant, including but not limited to how Synopsys defines each item of discount, rebate or other reduction deducted from gross revenue.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The revenues to Synopsys resulting from sales of any design synthesis tools to defendants is not relevant to any issue in the present litigation. If revenues could be shown to have any relevance to the present litigation, this information should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 11

11. Produce all documents concerning the validity of the patent-in-suit.

RESPONSE:

In addition to its general and specific objections, Synopsys objects to this request to the extent that it seeks the production of documents protected by the attorney-client privilege and/or

the work product doctrine. Synopsys is not presently aware of the existence of any non-privileged documents directly addressed to the question of the validity of the patent-in-suit. In another lawsuit pending in the Northern District of California, Synopsys seeks a declaratory judgment of the invalidity of the '432 patent. In due course during that litigation Synopsys intends to produce documentary evidence to Ricoh establishing the invalidity of the patent. Synopsys is not a party to the present suit and it is unreasonably burdensome to ask Synopsys to duplicate such discovery in this suit.

REQUEST FOR PRODUCTION No. 12

12. Produce all documents concerning the enforceability of the patent-in-suit.

RESPONSE:

Synopsys is not aware of the existence of any such documents.

REQUEST FOR PRODUCTION No. 13

13. Produce all documents concerning the infringement or possibility of infringement by defendants of the patent-in-suit.

RESPONSE:

Synopsys is not aware of any such documents.

REQUEST FOR PRODUCTION No. 14

14. Produce all documents concerning communications between Synopsys and any other person or entity concerning the patent-in-suit.

RESPONSE:

In addition to its general and specific objections, Synopsys objects to this request on the basis that it seeks the production of documents protected by the attorney-client privilege and/or the work product doctrine. Synopsys further objects to this request on the basis that it is not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case.



Without waiving any of the foregoing objections, Synopsys will produce non-privileged documents, if any, discovered after a reasonable search, relating to previous occasions on which Synopsys has been approached regarding offers to license the '432 patent.

REQUEST FOR PRODUCTION No. 15

15. Produce all documents concerning all materials presented to the Board of Directors of Synopsys and all agendas or notes of Board meetings which refer to, mention or discuss the patent-in-suit.

RESPONSE:

In addition to its general and specific objections, Synopsys objects to this request on the basis that it seeks the production of documents protected by the attorney-client privilege and/or the work product doctrine. Synopsys further objects to this request on the basis that it is not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. Discussions by Synopsys' Board of Directors on the subject of the patent in suit are not intrinsically relevant to any issue in the present case.

Without waiving any of the foregoing objections, Synopsys will produce non-privileged documents, if any, discovered after a reasonable search, relating to previous occasions on which Synopsys has been approached regarding offers to the '432 patent.

REQUEST FOR PRODUCTION No. 16

16. Produce all patents and pending patent applications which describe all or part of the operation of any ASIC Design System and all or part of any ASIC Method including, but not limited to, any documents filed in connection with such applications, by Synopsys or as to which Synopsys has any rights, in the United States or elsewhere.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it seeks the production of materials that are protected by the attorney-client privilege and/or the work product doctrine. Synopsys further objects that the request is overly

broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Patents issued to Synopsys are available to Ricoh in a less burdensome manner from public sources. Pending patent applications are highly confidential and Ricoh has made no showing of relevance, let alone compelling need, for such documents.

REQUEST FOR PRODUCTION No. 17

17. Produce all documents concerning any examinations, tests, studies, surveys, or other inquiry conducted by or for Synopsys on behalf of, in conjunction with, or at the request of, defendants on or with respect to any ASIC Design System and ASIC Method.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The nature of any technical or operational support provided for any Synopsys design synthesis tool is, therefore, not relevant to any issue in the present litigation. If examinations, tests, studies, surveys or other inquiries concerning design synthesis systems could be shown to be relevant to any issue in the present litigation, information about these examinations, tests, studies, etc. should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 18

18. Produce all documents concerning any examinations, tests, studies, surveys, or other inquiry conducted by or for defendants on or with respect to any ASIC Design System and ASIC Method.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in

this case. The nature of any technical or operational support provided for any Synopsys design synthesis tool is, therefore, not relevant to any issue in the present litigation. If examinations, tests, studies, surveys or other inquiries concerning design synthesis systems could be shown to have relevance to any issue in the present litigation, information about these examinations, test, studies, etc. should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 19

19. Produce all documents concerning any returns of ASIC Design Systems made (or requested to be made) by defendants.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. Returns of Synopsys design synthesis systems by defendants are not relevant to any issue in the present litigation. If the return of Synopsys design synthesis systems could be shown to have relevance to any issue in the present litigation is should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 20

20. Produce all documents concerning any replacement of ASIC Design Systems made (or requested to be made) by Synopsys to defendants.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The replacement of any Synopsys design synthesis tool is not relevant to any issue in the present litigation. If the replacement of Synopsys design synthesis systems could be shown to have

relevance to any issue in the present litigation, the requested documents should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 21

21. Produce all documents concerning communications between Synopsys and any other person or entity concerning the performance, use, placement, operation, or installation of ASIC Design Systems operated by or on behalf of defendants, including, but not limited to, communications with defendants and communications with the Synopsys User Group or "SNUG".

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The nature of any performance, use, placement, etc. of Synopsys design synthesis tools is not relevant to any issue in the present litigation. To the extent that the performance, use, placement, etc. could be shown to have relevance to any issue in the present litigation, information about such use, placement, operation, etc. should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 22

22. Produce all documents concerning conversations, communications, correspondence, discussions or meetings concerning the patent-in-suit.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it seeks the production of documents subject to attorney-client privilege and the work product doctrine. Discussions internal to Synopsys regarding the '432 patent are not intrinsically relevant to any issue in the present litigation.

Without waiving any of the foregoing objections, Synopsys will produce non-privileged responsive documents that can found after a reasonable search which are relevant to the substantive rights of defendants, including documents, if any, relating to prior occasions on which Synopsys was approached regarding licensing of the '432 patent.

REQUEST FOR PRODUCTION No. 23

23. Produce all documents concerning the patent-in-suit.

RESPONSE:

In addition to it general and specific objections, Synopsys further objects to this request on the basis that it seeks the production of documents subject to attorney-client privilege and the work product doctrine. Discussions internal to Synopsys regarding the '432 patent are not intrinsically relevant to any issue in the present litigation.

Without waiving any of the foregoing objections, Synopsys will produce non-privileged responsive documents that can found after a reasonable search which are relevant to the substantive rights of defendants, including documents, if any, relating to prior occasions on which Synopsys was approached regarding licensing of the '432 patent.

REQUEST FOR PRODUCTION No. 24

24. Produce all documents referring to plaintiff and concerning the patent in suit or this litigation.

RESPONSE:

In addition to it general and specific objections, Synopsys further objects to this request on the basis that it seeks the production of documents subject to attorney-client privilege and the work product doctrine. Discussions internal to Synopsys regarding the '432 patent are not intrinsically relevant to any issue in the present litigation.

Without waiving any of the foregoing objections, Synopsys will produce non-privileged responsive documents that can found after a reasonable search which are relevant to the

substantive rights of defendants, including documents, if any, relating to prior occasions on which Synopsys was approached regarding licensing of the '432 patent.

REQUEST FOR PRODUCTION No. 25

25. Produce all documents concerning articles, papers, presentations, and publications authored in whole or part by Aart de Gues, David Gregory, William Cohen, or Karen Bartlett with respect to ASIC Design Systems and ASIC Methods.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad and unreasonably burdensome. The documents requested are public materials that can be obtained less burdensomely by Ricoh from public sources.

Without waiving any of the foregoing objections, Synopsys will produce any responsive materials that can be found after a reasonable search and that are dated sufficiently early to constitute possible prior art against the '432 patent under 35 U.S.C. section 102(b).

REQUEST FOR PRODUCTION No. 26

26. Produce all documents concerning any change, alteration or modification made or requested to be made to an ASIC Design System or ASIC Method provided or offered to defendants, regardless of the entity requesting the change, alteration or modification.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. Synopsys is not a party to the present action. The nature of any change, alteration or modification of any Synopsys design synthesis tool is not relevant to any issue in the present litigation.

REQUEST FOR PRODUCTION No. 27

27. Produce all documents concerning any technical or operational support provided by or on behalf of Synopsys to any defendant for ASIC Design Systems and ASIC Methods.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. The nature of any technical or operational support provided for any Synopsys design synthesis tool is not relevant to any issue in the present litigation. If the technical or operational support provided by Synopsys could be shown to be relevant to any issue in the present litigation, the requested discovery should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 28

28. Produce all documents concerning communications with any defendant regarding ASIC Products, ASIC Design Systems, and ASIC Methods.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is overly broad, unreasonably burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Synopsys is not a party to the present litigation. Ricoh has asserted that it is not accusing Synopsys products of infringing the patents at issue in this case. Communications regarding design synthesis between Synopsys and defendants is not relevant to any issue in the present litigation. If these communications could be shown to be relevant to any issue in the present litigation, the requested discovery should be obtained, less burdensomely, directly from the defendants.

REQUEST FOR PRODUCTION No. 29

29. Produce documents sufficient to show the capabilities, features, functions, operation, and use of the system previously referred to by Synopsys as "Socrates," and of the systems known as the "Gdl" synthesis, the "LSS" logic synthesis system, and the "Dagon" synthesis system including, but not limited to, any user guides, operation guides, technical bulletins, technical reference manuals, user manuals, training manuals, specifications, source

code, tutorials, technical overviews, summaries, functional descriptions, design flow diagrams, operational flow diagrams, design specifications, articles, reports, and memos.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome. Synopsys is not a party to the present action. The materials requested by Ricoh are public materials, were not generated by Synopsys, and can be obtained by Ricoh from public sources. In another lawsuit pending in the Northern District of California, Synopsys seeks a declaratory judgment of the invalidity of the '432 patent. In due course during that litigation Synopsys intends to produce documentary evidence to Ricoh establishing the invalidity of the patent. Synopsys is not a party to the present suit and it is unreasonably burdensome to ask Synopsys to duplicate such discovery in this suit.

REQUEST FOR PRODUCTION No. 30

30. Produce all document concerning all hardware, software, libraries and/or databases for use in the system previously referred to by Synopsys as "Socrates," and in the systems known as the "Gdl" synthesis system, the "LSS" logic synthesis system, and the "Dagon" synthesis system including, but not limited to, technical reference manuals, technical bulletins, user manuals, installation manuals, training manuals, specifications, source code, tutorials, technical overviews, and summaries.

RESPONSE:

In addition to its general and specific objections, Synopsys further objects to this request on the basis that it is unreasonably burdensome. Synopsys is not a party to the present action. The materials requested by Ricoh are public materials, were not generated by Synopsys, and can be obtained by Ricoh from public sources. In another lawsuit pending in the Northern District of California, Synopsys seeks a declaratory judgment of the invalidity of the '432 patent. In due course during that litigation Synopsys intends to produce documentary evidence to Ricoh



establishing the invalidity of the patent. Synopsys is not a party to the present suit and it is unreasonably burdensome to ask Synopsys to duplicate such discovery in this suit.

Dated: June 26 2003

By: 

Francis DiGiovanni  
CONNOLLY BOVE LODGE & HUTZ LLP  
1220 Market Street, 10<sup>th</sup> Floor  
Wilmington, DE 19899-2207  
(302) 658-9141

Christopher L. Kelley  
HOWREY SIMON ARNOLD & WHITE, LLP  
301 Ravenswood Avenue  
Menlo Park, CA 94025  
(650) 463-8100 (Telephone)  
(650) 463-8400 (Facsimile)

Attorneys for Third Party  
SYNOPSYS, INC.

**CERTIFICATE OF SERVICE**


I hereby certify that a true and correct copy of the foregoing Initial Disclosure Statement of Intervenor Synopsys, Inc. was served this 26th day of June, 2003 on the following,

via Federal Express:

Steven J. Fineman  
Richards, Layton & Finger  
One Rodney Square  
Wilmington, Delaware 19899

via First Class U.S. Mail:

Edward A. Meilman  
Dickstein Shapiro Morin & Oshinsky, LLP  
1177 Avenue of the Americas  
New York, NY 10036-2714



Gayle L. Jacob